IN THE HIGH COURT OF BOMBAY AT GOA

MISCELLANEOUS CIVIL APPLICATION NO. 575 OF 2005
IN
FIRST APPEAL NO. 65 OF 2003

Shri Vassudev Gopal Bhobe,
Mapusa, Goa. ... Applicant

versus

State of Goa through the
Special Land Acquisition
Officer and another. ... Respondents

Mr. J. P. Mulgaonkar, Advocate for the Applicant.

Mr. S. S. Kantak, Advocate General with Ms. G. Bhonsle, Additional Government Advocate for the Respondents.

CORAM : R. M. LODHA &
N. A. BRITTO, JJ.

DATE : 5TH SEPTEMBER, 2005.

P.C.:-

Heard.

As per the Order of this Court dated 10-3-2003 an amount of Rs.46,08,792/- was deposited by the Land Acquisition Officer before this

Court. The said amount has been invested in fixed deposit in the Corporation Bank, Panaji.

By the Order dated 30-4-2005, the High Court Legal Services Committee Permanent Lok Adalat passed an Order on the basis of the terms submitted before the Lok Adalat.

By this Miscellaneoua Civil Application the expropriated owner prays that out of the amount deposited by the Land Acquisition Officer, an amount of Rs. 39,38,340/- be paid to him and the balance amount to be refunded to the State Government. In the course of hearing of this Miscellaneous Civil Application a calculation sheet was handed and marked 'X' for identification purposes. The said calculation sheet is a xerox copy signed by the Executive Engineer, Work Division V. The learned Counsel for the Applicant as well as the learned Advocate General for the State has verified the said statement.

The learned Counsel for the Applicant submits that in view of the calculation made as per the sheet marked 'X', an amount of Rs. 37,62,501/- along with accrued interest thereon proportionately on the deposit is payable to the Applicant and the remaining amount of

Rs.8,46,291/- plus the proportionate interest on the deposit invested by this Court is payable to the Respondent. This is accepted by the learned Advocate General.

Hence, this Miscellaneous Civil Application is disposed of by the following order:

ORDER

The Registrar is directed to refund an amount of Rs.37,62,501/- along with proportionate interest accrued thereon to the applicant. The remaining amount of Rs.8,46,291/- along with proportionate interest accrued thereon shall be refunded to the State Government.

Miscellaneous Civil Application stands disposed of.

R. M. LODHA, J.

N. A. BRITTO, J.

RD.